

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

PAUL E. GAREAU,

PLAINTIFF,

v.

CASE NO. 08-12047

COMMISSIONER OF SOCIAL SECURITY,

HONORABLE SEAN F. COX

DEFENDANT.

---

**ORDER**  
**ACCEPTING AND ADOPTING REPORT & RECOMMENDATION**

Plaintiff brought this action seeking judicial review of the Commissioner's decision disallowing benefits. Thereafter, the parties filed cross-motions for summary judgment, which were referred to Magistrate Judge Mark A. Randon pursuant to 28 U.S.C. §636(b)(1)(B) & (C). On February 1, 2010, Magistrate Judge Randon issued his R&R which recommends that Plaintiff's Motion for Summary Judgment be denied and that Defendant's Motion for Summary Judgment be granted, thereby affirming the decision of the Commissioner.

Pursuant to FED. R. CIV. P. 72(b), a party objecting to the recommended disposition of a matter by a Magistrate Judge must file objections to the R&R within fourteen (14) days after being served with a copy of the R&R. "The district judge to whom the case is assigned shall make a *de novo* determination upon the record, or after additional evidence, of any portion of the magistrate judge's disposition to which specific written objection has been made." *Id.*

The time for filing objections to the R&R has expired and the docket reflects that neither party has filed objections to the R&R.

The Court hereby **ADOPTS** the February 1, 2010 R&R. **IT IS ORDERED** that

Plaintiff's Motion for Summary Judgment is **DENIED**, that Defendant's Motion for Summary Judgment is **GRANTED**, and this action is hereby **DISMISSED**.

**IT IS SO ORDERED.**

S/Sean F. Cox

Sean F. Cox

United States District Judge

Dated: February 26, 2010

I hereby certify that a copy of the foregoing document was served upon counsel of record on February 26, 2010, by electronic and/or ordinary mail.

S/Jennifer Hernandez

Case Manager